



WorkSource System Policy
Employment System Administration and Policy

Washington envisions a nationally recognized fully integrated One-Stop system with enhanced customer access to program services, improved long-term employment outcomes for job seekers and consistent, high quality services to business customers. In order to achieve this vision, Employment System Administration and Policy sets a common direction and standards for Washington's WorkSource system through the development of WorkSource system policies, information memoranda, and technical assistance.

Policy Number: 1019, Revision 2
To: Washington WorkSource System
Effective Date: January 8, 2016
Subject: Eligibility Guidelines and Documentation Requirements

1. Purpose:

To communicate revised eligibility guidelines and documentation requirements for the Wagner-Peyser and Workforce Innovation and Opportunity Act (WIOA) Title I Youth, Adult, and Dislocated Worker programs.

Note: This policy and attached Handbook may be revised subject to additional DOL guidance, WIOA Final Rules and WIOA-compliant Data Element Validation (DEV) requirements.

2. Background:

This integrated WIOA eligibility policy includes an eligibility and documentation "Handbook" that details specific WIOA Title I Youth, Adult, and Dislocated Worker program eligibility criteria and incorporates supplemental guidance specific to WIOA Title I programs.

The Handbook identifies acceptable documentation of various eligibility criteria that align with WIA data element validation (DEV) requirements as of the issuance of [TEGL 06-14](#). The Handbook will be updated and revised accordingly when WIOA DEV requirements are issued by the U.S. Department of Labor (DOL).

Note: This policy specifically addresses eligibility, but the eligibility process alone may not complete the enrollment process. Local Workforce Development Boards (LWDBs) may require additional documentation and procedures to complete registration and enrollment.

3. Policy:

a. LWDB Accountability

LWDBs will only be held accountable to the laws, rules, and guidance in effect at the time decisions are made on eligibility, documentation, self-attestation, and local responsibilities.

b. Program Eligibility

This policy addresses eligibility requirements for Wagner-Peyser and WIOA Title I Adult, Dislocated Worker, and Youth programs.

Program eligibility requirements are detailed in the attached [Handbook](#).

c. Data Element Validation (DEV) and Documentation Requirements

LWDBs are required to maintain adequate documentation to ensure credibility of eligibility determinations and support DEV requirements in alignment with this policy and [WorkSource Policy 1003 – Data Element Validation](#).

DOL/ETA mandates annual DEV to assess the accuracy of reported participant data through specific documentation requirements. A number of the data elements validated through this process pertain to program eligibility.

It is the policy of the State to align WIOA program eligibility documentation with existing DEV documentation requirements for any eligibility components that are included under DEV (refer to Handbook Section 6). Aligning these requirements will increase efficiencies and ensure DEV requirements are met (for eligibility components) at the time of participant enrollment. To that end, eligibility documentation will support future data validation efforts.

As noted, the Handbook identifies acceptable documentation of various eligibility criteria that align with WIA DEV requirements as of the issuance of [TEGL 06-14](#). The Handbook will be updated and revised accordingly when DEV requirements for WIOA are issued by the U.S. Department of Labor (DOL). Until such time as that guidance is available, LWDBs are directed to continue referring to WIA-based DEV requirements in [TEGL 06-14](#).

In addition to the alignment described above, there are other eligibility components not addressed by DEV. The State has aligned its policy with additional documentation requirements provided by DOL (e.g., Selective Service Registration) and the State (e.g., Unemployment Insurance), and ESD has established eligibility documentation requirements for additional eligibility components that are not addressed by DOL (e.g., citizenship / legally entitled to work).

d. Self-Attestation

It is the policy of the State to allow LWDBs to use self-attestation as a minimum documentation requirement for where permissible per federal guidance (i.e., DEV requirements in [TEGL 06-14](#) or Selective Service documentation requirements in [TEGL 11-11 Change 2](#)) or state law (i.e., the requirements governing UI eligibility determination).

To ensure properly documented customer self-attestation, ESD **strongly** encourages LWDBs to use the self-attestation form provided in the Handbook or one that is substantially similar in content. Improperly documented self-attestation or self-attestation on eligibility elements not permitted under federal law or guidance or this policy may result in disallowed costs. Properly documented self-attestation serves as documentary evidence of eligibility determination and does not, by itself, warrant disallowed cost findings. At the same time, properly documented self-attestation does not, by itself, preclude disallowed cost findings if it is determined during monitoring, reviews, or audits that the attestation was false.

e. Local Responsibilities

LWDBs are responsible for establishing local procedures to align with this policy. Specifically, LWDBs must address the following components at the local level:

i. General:

- Identification of the local record keeping system to be used.
- Local documentation requirements, including:
 - Any supplemental documentation requirements (i.e. local requirements could stipulate that additional documentation is required for eligibility criteria, beyond the minimum requirement contained in the Handbook); and
 - Additional documentation requirements for eligibility that do not otherwise require documentary evidence (i.e., local parameters for determining “unlikely to return to a previous industry or occupation”, among others, which could include a documentation requirement). Refer to Handbook Section 6.
- LWDB determinations regarding the use of self-attestation when allowed (see Handbook Section 6)
- The determination of whether or not youth who do not live at home, or youth ages 18-24 who do live at home, will be regarded as individuals rather than dependents, including the parameters for these determinations (Handbook Section 5.6).
- Additional criteria, if any, to help staff determine family size and income for the WIOA Title I Youth and Adult programs (Handbook Section 5.6).

ii. Youth Program:

Local parameters and policy for the definition of:

- Low income, based on the definition at WIOA Section 3(36). LWDBs establish income verification requirements and what is included or excluded as income (Handbook Sections 2.4, 5.6 and 8).
- “Requires additional assistance” (Category 7 for in-school youth; Category 8 for out-of-school youth)
- Whether or not to utilize self attestation for the locally established parameters (Handbook Section 2.1).

Determination of whether or not the LWDB will utilize the 5% window to serve participants under the WIOA Youth program who do not meet the low income criteria (Handbook Section 2.3).

iii. Adult Program:

Low income, based on the definition at WIOA Section 3(36). LWDBs establish income verification requirements and what is included or excluded as income (Handbook Section 5.6 and Section 8).

Priority of service beyond Categories 1, 2, and 3. LWDBs can establish additional priority groups beyond those encompassed by Categories 1, 2, and 3 as long as those additional priorities groups are defined in local policy.

iv. Dislocated Worker Program:

Local parameters for the definition of:

- "Unlikely to return to a previous industry or occupation"
- "Substantial layoff" under WIOA Section 3(15)(B)(i) (under Dislocated Worker definition).
- "General announcement" of plant closing under WIOA Section 3(15)(B)(ii) or (iii).
- "Unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters" for determining the eligibility of self-employed individuals, including family members and farm or ranch hands, under WIOA Section 3(15)(C).
- "Employment that leads to self-sufficiency" for a dislocated worker when determining whether the individual needs training services to obtain employment (proposed 20 CFR 680.210). Refer to Handbook Section 4.3 for additional guidance on "Stop-Gap" employment.

The designated timeframe prior to planned separation (no earlier than 18 months prior) during which military service members can receive Dislocated Worker services. Refer to Handbook Section 4.2 for guidance.

4. Definitions:

For a complete list of definitions refer to the attached Handbook.

Data Element Validation (DEV) – The federally mandated process by which the state annually assesses the accuracy of reported participant data (refer to [WorkSource System Policy 1003](#) and [TEGL 06-14](#)).

Self-Attestation – Self-attestation (also referred to as a participant statement) occurs when a participant (applicant) states his or her status for a particular data element, such as pregnant or parenting youth, and then signs and dates a form acknowledging this status. The key elements for

self-attestation are: (a) a participant (applicant) identifying his or her status for a permitted data element and (b) signing and dating a form attesting to this self-identification. Forms are available in Section 7 of the attached Handbook.

5. References:

- [Workforce Innovation and Opportunity Act of 2014](#)
- [WIOA Notice of Proposed Rule Making: Notice of Proposed Rulemaking on Title I and Title III programs](#)
- [Training and Employment Guidance Letter \(TEGL\) 06-14](#)
- [Training and Employment Guidance Letter \(TEGL\) 23-14](#)
- [Training and Employment Guidance Letter \(TEGL\) 03-15](#)
- [Training and Employment Guidance Letter \(TEGL\) 08-15](#)

6. Supersedes:

WorkSource System Policy 1019, Revision 1

7. Website:

<http://www.wa.gov/esd/1stop/policies/systems.htm>

8. Action:

LWDBs are required to implement and comply with the requirements contained within this policy and its handbook (Attachment A) within 90 days of publication. Together, the policy and handbook represent the minimum federal and state requirements. LWDBs may modify the handbook to incorporate any additional local policy requirements, including local determinations required by Section 3.e of this policy, or LWDBs may update local policies to align with this policy and handbook.

LWDBs and their contractors, as well as Employment Security Regional Directors, should distribute this policy broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

9. Attachments:

Attachment A – [Eligibility Policy Handbook \(PDF\)](#)

Attachment A – [Eligibility Policy Handbook \(Word version provided for local implementation\)](#)

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